

REISSUE CONT. APPLN.

Appl. No. 09/592,148

Docket No. 2950-0160P

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REMARKS

The present Supplemental Preliminary Amendment and Response supplements the Preliminary Amendment filed on December 10, 2002. Entry of the present Supplementary Preliminary Amendment and Response is requested after the entry of the Preliminary Amendment filed on December 10, 2002.

Upon entry of the Supplemental Preliminary Amendment and the Preliminary Amendment filed on December 10, 2002, claims 39, 41-45, 50-56 and 58-59 are pending in the present application. Claims 39, 45, 51 and 56 are independent claims.

Establishment of Ownership Not Signed by Appropriate Party

The application has been objected to under 37 C.F.R. § 1.172(a) because a proper empowerment statement that the person is authorized to sign a submission establishing ownership interest and/or act on behalf of the assignee is needed. To overcome this objection, attached hereto is a newly executed Assent of Assignee which includes the proper empowerment statement. Accordingly, reconsideration and withdrawal of this objection are respectfully requested.

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Improper Amendment Format

The Examiner indicated that the amendments filed on June 12, 2002 need to indicate on separate pages the status of the claims and an explanation of the support in the disclosure of the patent for the changes made to the claims.

To overcome this objection, the current status of all pending claims and an explanation of the support in the disclosure of the patent for the claim amendments to date are provided herewith. Accordingly, reconsideration and withdrawal of this objection are respectfully requested.

As stated in the Preliminary Amendment dated October 10, 2002, this is a continuation of allowed reissue U.S. Application No. 09/094,575. The claims of the present application are similar to the allowed claims of the parent case (U.S. Application No. 09/094,575). In view of the issuance of the parent case, it is believed that the present claims as amended are also allowable over the prior art of record. Accordingly, an early indication of allowance of the claims and the issuance of a Notice of Allowance are respectfully requested.

Should there be any matters which need to be resolved in the present application, the Examiner is respectfully requested to contact Esther H. Chong (Registration No. 40,953) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

Applicant(s) respectfully petitions under the provisions of 37 C.F.R. §

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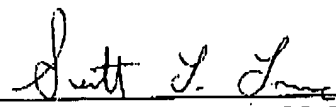
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1.136(a) and 1.17 for a three-month extension of time in which to respond to the Examiner's Office Action. The Extension of Time Fee in the amount of \$950.00 is attached hereto.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By  #41,458
James T. Eller, Jr., #39,538

JTE/EHC:lmh
2950-0160P

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Attachment: Newly Executed Assent of Assignee